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11 Attorneys for Defendants
12 UNUM GROUP, UNUM LIFE INSURANCE
13 COMPANY OF AMERICA, FIRST UNUM
14 LIFE INSURANCE COMPANY OF AMERICA, and THE
15 PAUL REVERE LIFE INSURANCE COMPANY

16
17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA

19 ALEXANDER P. SOMMER, an individual, by } Case No.: C07-2846 SC
20 and through his Guardian ad Litem, }
21 CHRISTIAN SOMMER, }
22 Plaintiff, }
23 vs. }
24 UNUM, UNUMPROVIDENT }
25 CORPORATION; UNUM PROVIDENT LIFE }
26 INSURANCE COMPANY OF AMERICA; }
27 FIRST UNUM LIFE INSURANCE }
28 COMPANY OF AMERICA; PAUL REVERE }
LIFE INSURANCE COMPANY, }
Defendants }

STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO
COMPLETE EARLY NEUTRAL
EVALUATION

1 Pursuant to ADR Rule 5-5, defendants UNUM Group, Unum Life Insurance Company of
2 America, First Unum Life Insurance Company of America, and The Paul Revere Life Insurance
3 Company ("defendants") and plaintiff Alexander P. Sommer, by and through their respective
4 counsel, hereby stipulate that the time to complete Early Neutral Evaluation ("ENE") in this
5 matter be extended for good cause shown.

6 WHEREAS, on August 27, 2007, the district court ordered this matter to ENE (pursuant
7 to the parties' ADR stipulation), to be completed within 90 days thereafter;

8 WHEREAS, on September 21, 2007, at a Case Management Conference, the court set a
9 specific briefing schedule for defendants' motion to dismiss;

10 WHEREAS, the parties have submitted their respective papers regarding the motion to
11 dismiss, and the motion is now under submission;

12 WHEREAS, the appointed ENE evaluator is attempting to schedule the ENE pre-
13 conference and conference dates pursuant to the November 25, 2007 ENE completion deadline;

14 Good cause exists to extend the ENE deadline so that the motion to dismiss may be
15 decided before any party is forced to incur any further legal fees and costs, and to obviate any
16 unnecessary work-up by the appointed ENE evaluator, Stephen McKae, Esq.

17 IT IS SO STIPULATED.

18
19 LAW OFFICE OF STEPHEN W. STEELEMAN
20

21 Dated: October 23, 2007
22 By _____
23 Stephen W. Steelman
24 // Atorneys for Plaintiff
25 // ALEXANDER P. SOMMER
26 //
27 //
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1 KELLY, HERLIHY & KLEIN LLP
2

3 Dated: October 23, 2007

4 By _____
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John T. Burnite

6 Attorneys for Defendants
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UNUM GROUP, UNUM LIFE INSURANCE
COMPANY OF AMERICA, FIRST UNUM LIFE
INSURANCE COMPANY OF AMERICA, and
THE PAUL REVERE LIFE INSURANCE COMPANY

8
9 **ORDER**
10

11 Good cause having been shown, it is hereby ordered that the deadline for the parties to
12 complete the ENE in this matter is extended to _____
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14 IT IS SO ORDERED.
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16 DATED: October , 2007

17 SAMUEL CONTI
18 UNITED STATES DISTRICT JUDGE
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